

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Sainik Welfare Department Sri M. Rajender, Zilla Sainik Welfare Officer (now retired), Mahaboobnagar District– charges proved – Imposing punishment of 50% cut in pension for 15 years - Orders – Issued.

HOME (GENERAL-C) DEPARTMENT

G.O.Rt.No. 1175

Dated:14/07/2010.

Read the following:

1. From the Director, Sainik Welfare, A.P.Hyd Lr.No.2003/09/2007-A(Estt), Dated 20-3-2007.
2. Govt.Memo.No.8086/Genl.C/2007, Dated.3-4-2007.
3. Proceedings of the Director Sainik Welfare, A.P.Hyderabad Proc.No. 2003/11/2007-A(Estt) dated 19-06-2007.
4. From the Director, Sainik Welfare, A.P.Hyd.Memo.No.2003/13/2007-A (Estt)dated 19-6-2007.
5. From the Director, Sainik Welfare, A.P.Hyderabad Lr.No.2003/15/2007-A(Estt), dated.23-07-2007.
6. G.O.Rt.No.189, Home(Genl.C)Department, dated.4-2-2008.
7. From the Enquiry Officer, Report Lr.No.01/DS(Cts)/08, Dated.30-07-2008.
8. Govt.Memo.No.8086/Genl.C/07, Home(Genl.C)Department, dated.10-9-2008
9. From Sri M.. Rajender, ZSWO, Nizamabad(U/S), Explanation, dated.15-11-2008.
10. Govt. letter No.8086/Genl.C/2007, dated 11.11.2009 addressed to the Secretary APPSC, Hyderabad.
11. From the Secretary, APPSC, Hyderabad, Lr.No.1406/RT-I/1/2009, dated 7.1.2010.

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ORDER:

In the reference 1st read above, the Director, Sainik Welfare, Andhra Pradesh, Hyderabad has submitted a report, on his surprise visit to the Zilla Sainik Welfare Office, Nizamabad on 14.03.2007, where he found certain irregularities, misconduct and harassment to ex-servicemen etc, by Sri M. Rajender, Zilla Sainik Welfare Officer, Nizamabad.

2. Government, in memo 2nd read above, issued instructions to the Director Sainik Welfare, Andhra Pradesh, Hyderabad to initiate suitable disciplinary action against Sri M. Rajender, Zilla Sainik Welfare Officer, Nizamabad.

3. In the reference 3rd read above, the Director, Sainik Welfare, Andhra Pradesh, Hyderabad, has placed the above Delinquent Officer under suspension in the public interest for conducting an enquiry against him. Article of charges in respect of misconduct or misbehaviour for which the enquiry is proposed to be conducted are also framed and served on the Delinquent Officer vide reference 4th read above.

4. The Director Sainik Welfare, Andhra Pradesh, Hyderabad in his letter 5th read above, has requested the Government to appoint an enquiry officer to conduct enquiry, under rule-20 of APCS (CC&A) Rules, 1991.

5. Accordingly, Sri T. Jai Raj Singh, Deputy Secretary to Government, Home Department, was appointed as Enquiry Officer in the reference 6th read above, who has conducted inquiry and submitted his report vide reference 7th read above. The Enquiry Officer has concluded in his findings that the charges I to III and VII are partly proved, Charges IV, V and IX are proved, Charge No.VI only temporary misappropriation proved and charge No.VIII is not proved.

(P.T.O.)

6. The Government have accepted the findings of Enquiry Officer and communicated a copy of the enquiry report to the Charged Officer, as required under Rule 21 (2) APCS (CC&A) Rules 1991, calling for his explanation if any, vide reference 8th read above. The Charged Officer vide reference 9th read above, has submitted his explanation dated:15.11.2008, requesting to drop further action for the reasons mentioned therein.

7. The Explanation of the Charged Officer, has been examined in the light of the enquiry report and found not satisfactory, and a provisional decision was taken to impose a penalty of "Dismissal from service" on the Charged Officer, in the light of G.O.Ms.No.2, GA (Ser.C) Department, dated 4.1.1999, keeping in view of the gravity of charges held proved / partly proved against the Charged Officer and the matter referred to Andhra Pradesh Public Service Commission, Hyderabad, Which is mandatory for advice vide Govt. letter 10th read above.

8. The commission in its letter 11th read above, has advised to impose punishment of 50% cut in pension for 15 years against Sri M. Rajender, Zilla Sainik Welfare Officer, Nizamabad, instead of the proposed the punishment of "Dismissal from service" which is disproportionate to the gravity of Misconduct and would be violation of article 14 of the constitution and the commission has also further advised that necessary action against other staff of Zilla Sainik Welfare Officer, Nizamabad, who are also responsible for the lapses should be initiated.

9. After careful consideration of the enquiry report in the light of the advice tendered by the Andhra Pradesh Public Service Commission, Hyderabad, the Government hereby accept the recommendation of the Andhra Pradesh Public Service Commission, Hyderabad and impose a penalty of the punishment of 50% cut in pension for 15 years on Sri M. Rajender, Zilla Sainik Welfare Officer (Now Retired), Mahaboob Nagar.

10. The Director, Sainik Welfare, Andhra Pradesh, Hyderabad is requested to take necessary action, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

P. GAUTAM KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri M. Rajender, Zilla Sainik Welfare Officer (Retired) through
the Director, Sainik Welfare, Andhra Pradesh, Hyderabad
The Director, Sainik Welfare, Andhra Pradesh, Hyderabad.

Copy to:-

The Secretary, Andhra Pradesh Public Service Commission, Hyderabad.
The Zilla Sainik Welfare Officer, Mahaboobnagar.
The Pay and Account Officer, Andhra Pradesh, Hyderabad.
The Accountant General (A&E), Andhra Pradesh, Hyderabad.
The Director of Treasuries & Accounts, Andhra Pradesh, Hyderabad.
SC/SF.

//FORWARDED:: BY :: ORDER//

SECTION OFFICER